

ORDER

APPLICATION 13268

PERMIT 7834

LICENSE 4867

ORDER ALLOWING CHANGE IN PLACE OF USE

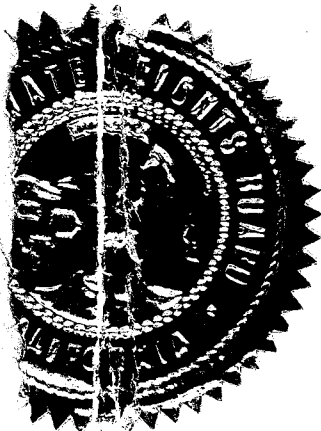
Licensee having established to the satisfaction of the State Water Rights Board that the change in place of use under Application 13268, Permit 7834, License 4867, for which petition was submitted on October 2, 1958, will not operate to the injury of any other legal user of water, the Board so finds, and

IT IS ORDERED that permission be and the same is hereby granted to change the place of use under said Application 13268, Permit 7834, License 4867, to a place of use described as follows, to wit:

40 ACRES NET WITHIN A GROSS AREA OF 56.6 ACRES WITHIN SW $\frac{1}{4}$ OF SW $\frac{1}{4}$; SE $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF PROJECTED SECTION 16; NW $\frac{1}{4}$ OF NW $\frac{1}{4}$ AND NE $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF PROJECTED SECTION 21 ALL WITHIN T8N, R9W, MDB&M, AS SHOWN ON MAP FILED WITH STATE WATER RIGHTS BOARD ON DECEMBER 30, 1958.

WITNESS my hand and the seal of the State Water Rights Board of the State of California this 25th day of March, 1959

L. K. Hill
L. K. Hill
Executive Officer



STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 13268

PERMIT 7834

LICENSE 4867

ORDER ALLOWING CHANGE IN POINT OF DIVERSION
AND CHANGE IN CHARACTER OF USE

WHEREAS License 4867 was issued to Adelma Fenton and was filed with the County Recorder of Sonoma County on December 13, 1957, and

WHEREAS License 4867 was later assigned to Joe and Neoma Rochioli, Jr., and

WHEREAS the State Water Resources Control Board has found that the change in point of diversion and change in character of use under said license for which petitions were submitted on December 14, 1970, will not operate to the injury of any other legal user of water, and

WHEREAS the Board has approved and allowed said changes and has directed that an order be issued to describe said point of diversion and character of use in accordance with said petitions;

NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to change the point of diversion under said License 4867 to a point of diversion described as follows, to wit:

SOUTH 520 FEET AND WEST 380 FEET FROM N $\frac{1}{4}$ CORNER OF SECTION 21, T8N, R9W, MDB&M, BEING WITHIN NE $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF SAID SECTION 21.

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APPLICATION 13268

PERMIT 7834

LICENSE 4867

IT IS FURTHER ORDERED that permission be and the same is hereby granted to change the place of use under said License 4867 to a character of use described as follows, to wit:

IRRIGATION AND FROST PROTECTION PURPOSES

Dated: MAR 9 1971

K. L. Woodward
K. L. Woodward, Chief
Division of Water Rights

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STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 13268

PERMIT 7834

LICENSE 4867

THIS IS TO CERTIFY, That

Adelma Fenton, Fenton Acres
Box 6192 West Side Road
Healdsburg, California

Notice of Change (Over)

has made proof as of September 23, 1955
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of
Russian River (surface and underflow) in Sonoma County

tributary to Pacific Ocean

for the purpose of irrigation use
under Permit 7834 of the State Water Rights Board and that said right to the use of said water has been
perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the
terms of the said permit; that the priority of the right herein confirmed dates from July 28, 1949;
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited
to the amount actually beneficially used for said purposes and shall not exceed eighteen hundredths (0.18)
cubic foot per second to be diverted from about May 1 to about November 1 of each year.

The equivalent of such continuous flow allowance for any thirty-day period
may be diverted in a shorter time if there be no interference with other vested rights.

The points of diversion of such water are located

- (1) north two hundred forty (240) feet and east one hundred fifty-three (153) feet
from S $\frac{1}{4}$ corner of Section 16, T8N, R9W, MDB&M, being within SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section
16.
- (2) south one thousand ninety-one (1091) feet and east two hundred eight (208) feet
from N $\frac{1}{4}$ corner of Section 21, T8N, R9W, MDB&M, being within the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of said
Section 21.
- (3) a movable point along the Russian River between limits as follows: (A) north
three hundred (300) feet and east five hundred (500) feet from S $\frac{1}{4}$ corner of Section
16, T8N, R9W, MDB&M, being within the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 16 and (B) south
one thousand one hundred (1100) feet and east six hundred (600) feet from N $\frac{1}{4}$ corner of
Section 21, T8N, R9W, MDB&M, being within NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 21.

A description of the lands or the place where such water is put to beneficial use is as follows:

8 acres in SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 16, T8N, R9W, MDB&M
20 acres in NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 21, T8N, R9W, MDB&M
12 acres in NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 21, T8N, R9W, MDB&M
40 acres total

All rights and privileges under this license including method of diversion, method of use and quantity of water
diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the
interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of
diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time
to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein
specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

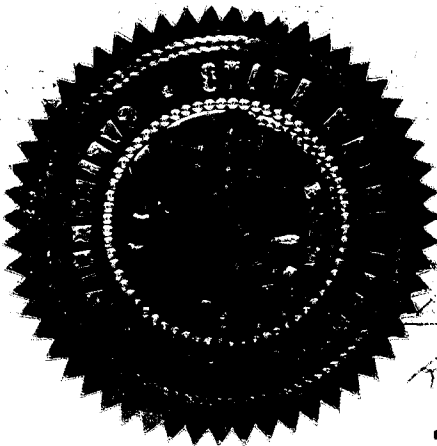
Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: **DEC 11 1957**

STATE WATER RIGHTS BOARD



By *Leslie C. Jopson*
LESLIE C. JOPSON
Chief Engineer

RECEIVED NOTICE OF ASSIGNMENT TO *Joe Rochioli, Jr.*

5/17/90 assigned to Joe Rochioli

LICENSE 4867

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

ISSUED TO Adelma Fenton

DATED DEC 11 1957